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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CALVARY CHAPEL SAN JOSE, a
California Non-Profit Corporation;
PASTOR MIKE MCCLURE, an
individual; **SOUTHRIDGE BAPTIST**
CHURCH OF SAN JOSE
CALIFORNIA dba SOUTHRIDGE
CHURCH, a California Non-Profit
Corporation; **PASTOR MICAIAH**
IRMLER, an individual;

Plaintiffs,

vs.

GAVIN NEWSOM, in his official
capacity as the Governor of California,
TOMAS ARAGON, M.D., in his official
capacity as the Acting California Public
Health Officer; **SANTA CLARA**
COUNTY; SARA H. CODY, M.D., in
her official capacity as Santa Clara
County Public Health Officer; **MIKE**
WASSERMAN, in his official capacity

Case No.: 20-cv-03794-BLF

AMENDED NOTICE OF
DEPOSITION OF DEPOSITION
OF SANTA CLARA COUNTY'S
PERSONS MOST
KNOWLEDGEABLE
PURSUANT TO RULE 30(b)(6)

DATE: July 21, 2022; August 18,
2022; and August 19, 2022

TIME: 9:00 a.m.

LOCATION: San Jose

Judge: Hon. Beth L. Freeman

1 as a Santa Clara County Supervisor;
2 **CINDY CHAVEZ**, in her official
3 capacity as a Santa Clara County
4 Supervisor; **DAVE CORTESE**, in his
5 official capacity as a Santa Clara County
6 Supervisor; **SUSAN ELLENBERG**, in
7 her official capacity as a Santa Clara
8 County Supervisor; and **JOE**
9 **SIMITIAN**, in his official capacity as a
10 Santa Clara County Supervisor;

11 Defendants.

12 **TO ALL PARTIES HERETO AND TO THEIR RESPECTIVE ATTORNEYS**
13 **OF RECORD:**

14 **PLEASE TAKE NOTICE** that, pursuant to Rule 30(b)(6) of the Federal Rules of
15 Civil Procedure, Plaintiffs, by and through their attorney(s), will take the deposition of the
16 person or persons most knowledgeable of:

17 1. The facts, evidence, theory, and reasoning behind the COVID-19 public
18 health orders, directives, and guidelines issued by Santa Clara County from February 2020
19 through June 2021, including, but not limited to: the March 16, 2020, County Health
20 Officer Order Directing Individuals to Shelter at Their Place of Residence; the July 02,
21 2020, County Health Officer Order Establishing Risk Reduction Measures; the October 5,
22 2020, County Health Officer Order Establishing Revised Risk Reduction Measures; the
23 County Health Officer's Mandatory Directive for Gatherings; the County Health Officer's
24 Mandatory Directive on Capacity Limitations; the County Health Officer's Mandatory
25 Directive for Dining, Bars, Wineries, and Smoking Lounges; and any guidance, order, or
26 directive related to singing and chanting.

27 2. The meaning and scope of Santa Clara County's COVID-19 public health
28 orders issued from February 2020 through June 2021;

1 3. The experts and sources Santa Clara County relied upon to issue and
2 formulate their COVID-19 public health orders;

3 4. The experts and sources Santa Clara County did not consider when issuing
4 and formulating their COVID-19 public health orders;

5 5. The data, facts, evidence, and reasoning behind Santa Clara County's
6 exemptions to the COVID-19 public health orders, including the Risk Reduction Order;

7 6. The identification and/or guidelines used to determine what government
8 entities and activities were essential under Santa Clara County's COVID-19 public health
9 orders;

10 7. The basis for Santa Clara County's decision to not declare churches as
11 essential since March 2020;

12 8. The data, evidence, facts, and scientific theories behind Santa Clara
13 County's mask mandates, guidelines, and directives issued from February 2020 through
14 June 2021;

15 9. Santa Clara County's COVID-19 contract tracing system, including the
16 mechanism for reporting and documenting cases and any reports, studies, graphs, and
17 charts depicting COVID-19 cases traced to various industries and activities in Santa Clara
18 County;

19 10. The mechanism, practices, and sources Santa Clara County used for COVID-
20 19 testing;

21 11. Santa Clara County's enforcement action against the Plaintiffs, including the
22 sending of notices of violation, the basis for the fines, and the apportionment of the fines
23 levied against the Plaintiffs;

24 12. Santa Clara County's enforcement action against other entities and activities
25 related to COVID-19;

26 13. Santa Clara County's chain of custody, oversight measures, policies, and
27 procedures related to the enforcement of the COVID-19 public health orders and
28 guidelines issued from February 2020 through June 2021;

1 The depositions are scheduled to go forward before a duly certified Court Reporter
2 on July 21, 2022, at 9:00 a.m., August 18, 2022, at 9:00 a.m., and August 19, 2022, at 9:00
3 a.m., at 70 West Hedding Street, 9th Floor, San Jose, California. If the depositions are not
4 completed on the date set forth above, the taking of the depositions will be continued from
5 day to day thereafter, except on Sundays and holidays, at the same place, until completed.

6 If there is more than one person most knowledgeable, then each person most
7 knowledgeable will be deposed on successive business days beginning with the date
8 described above and continuing until each person most knowledgeable has been deposed.

9 If an interpreter is required to translate testimony, notice of same must be given to
10 this noticing party five (5) days prior to the deposition date.

11 **PLEASE TAKE FURTHER NOTICE** that pursuant to Federal Rules of Civil
12 Procedure, Rule 30(b)(2), this noticing party will record the testimony by videotape and
13 stenographic method.

14 This noticing party further intends to reserve the right to use at trial the videotape
15 deposition.

16
17 DATED: July 14, 2022

ADVOCATES FOR FAITH & FREEDOM

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19 By: /s/ Mariah Gondeiro
20 Mariah Gondeiro, Esq.
21 Attorneys for Plaintiffs
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PROOF OF SERVICE***Calvary Chapel San Jose, et al v. Newsom, et al.***
Case No. 20-cv-03794

I am an employee in the County of Riverside. I am over the age of 18 years and not a party to the within entitled action; my business address is 25026 Las Brisas Road, Murrieta, California 92562.

On July 15, 2022, I served a copy of the following DOCUMENT(s) described as **AMENDED NOTICE OF DEPOSITION OF DEPOSITION OF SANTA CLARA COUNTY'S PERSONS MOST KNOWLEDGEABLE PURSUANT TO RULE 30(b)(6)** on the interested party(ies) in this action as follows:

SEE ATTACHED SERVICE LIST

☒ **BY E-MAIL OR ELECTRONIC TRANSMISSION.** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I transmitted copies of the above-referenced DOCUMENT(s) on the interested parties in this action by electronic transmission. Said electronic transmission reported as complete and without error.

☐ **BY FACSIMILE TRANSMISSION.** Pursuant to agreement and written confirmation of the parties to accept service by facsimile transmission, I transmitted copies of the above-referenced DOCUMENT(s) on the interested parties in this action by facsimile transmission from (951) 600-4996. A transmission report issued as complete and without error.

☐ **BY UNITED STATES POSTAL SERVICE.** I am readily familiar with the practice for collection and processing of correspondence for mailing and deposit on the same day in the ordinary course of business with the United States Postal Service. Pursuant to that practice, I sealed in an envelope, with postage prepaid and deposited in the ordinary course of business with the United States Postal Service in Murrieta, California, the above-referenced DOCUMENT(s).

☐ **BY OVERNIGHT DELIVERY.** I enclosed the above-referenced DOCUMENT(s) in an envelope or package provided by an overnight delivery carrier and addressed as above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

☐ **BY PERSONAL SERVICE.** I caused copies of the above-referenced DOCUMENTS to the addressee(s) noted above served by process server.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am an employee in the office of a member of the bar of this Court who directed this service.

/s/Sue Kenney
Sue Kenney

SERVICE LIST

Calvary Chapel San Jose, et al v. Newsom, et al.
Case No. 20-cv-03794

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Attorneys for Defendants County
of Santa Clara, Santa Clara County
Board of Supervisors, and Sara H.
Cody